



1723

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/436,894
Filing Date: May 13, 2003
Applicant: M. Muller et al.
Group Art Unit: 1723
Examiner:
Title: JOINING SYSTEM HEAD, JOINING SYSTEM, AND
METHOD OF FEEDING AND JOINING ELEMENTS
Attorney Docket: 0275M-000727

Mail Stop Missing Parts
Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

03/19/2004 HNUONG1 00000082 022550 10436894

31 FC:1460 130.00 DA

PETITION AND REQUEST FOR CORRECTED FILING RECEIPT

This Petition and petition fee of \$130.00 is in response to the "Notice to File Missing Parts of Nonprovisional Application" mailed July 21, 2003, regarding the omission of Figure 12 (copy enclosed). A copy of Figure 12 was inadvertently not included with the previously filed Response to Notice to File Missing Parts. Nevertheless, seven (7) sheets of drawings were originally filed with the application, showing Figures 1-12, as can be seen by a copy of the returned stamped receipt postcard which was filed with the application. Thus, the Notice to File Missing Parts of Nonprovisional Application was incorrect regarding Figure 12.

We acknowledge receipt of the Corrected Official Filing Receipt. However, in reviewing the Filing Receipt we noticed that the number of drawings is six (6). Again,

the returned stamped receipt postcard is showing that seven (7) sheets were filed with the application, which reflects the actual number of drawing sheets filed. A duplicate copy of the originally filed seven (7) sheets of drawings is enclosed in case the Patent and Trademark Office misplaced one of the sheets. A copy of the Filing Receipt with the corrected change marked in red is enclosed.

Accordingly, please correct your records and send us a corrected filing receipt.

Respectfully submitted,

Date: March 16, 2004

By: 

Monte L. Falcoff
Reg. No. 37,617

HARNESS, DICKEY & PIERCE, P.L.C.
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1. Claims 1-29 are presented for examination.
2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-11 and 23-25, drawn to a method for simultaneously reading a plurality of registers, modifying a subset, and simultaneously writing to the plurality of registers, classified in class 711, subclass 155.
 - II. Claims 12-22 and 26-29, drawn to a method of verifying predicate prediction by comparing a first set of values of predicate registers to second set of values computed by a read-modify-write operation, classified in class 712, subclass 23.
3. The inventions are distinct, each from the other because of the following reasons: Inventions of *Group I* and *Group II* are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because *the invention of group I can be used without the predicate prediction*. The subcombination has separate utility such as use in a system without the simultaneous reading and writing.
4. Because these inventions are distinct for the reasons given above and the search required for *one group* is not required for *the other group*, restriction for examination purposes as indicated is proper.
5. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
6. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth S KIM whose telephone number is (703) 305-9693. The examiner can normally be reached on M-F (8:30-17:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (703) 305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

May 10, 2004


KENNETH S. KIM
PRIMARY EXAMINER

BEST AVAILABLE COPY